

05-03-01 A

EXPRESS MAIL CERTIFICATE EL 669 434 325 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Re Application of: GILBERT, Roland Group Art Unit:
Serial No. Examiner:
Filed: Herein Atty. Dkt. No: BAE13-US

For: METHOD AND APPARATUS FOR USING RF-ACTIVATED
MEMS SWITCHING ELEMENT

To: Commissioner of Patents
Box Application and Fee
Washington, D.C. 20231

Fm:



CERTIFICATE OF MAILING 37 CFR 1.10: I certify that this correspondence is being deposited on the below date with the U.S. Postal Service with sufficient postage as EXPRESS MAIL POST OFFICE TO ADDRESSEE addressed to: Assistant Commissioner of Patents, Washington, DC 20231.

Date: 05/02/2001

Debra A. Stengel *Debra A. Stengel*
[] Vernon C. Malone, Reg. No. 37,389 or [] Scott J. Asmus, Reg. No. 42,269

Dear Sir:

LETTER OF TRANSMITTAL

Submitted herewith is a application for United States patent consisting of 1 pages Patent Application Bibliographic Data Sheet, 19 pages of cover sheet, specification and claims, 7 sheets of drawings, 1 pages of declaration and power of attorney, 2 sheets of form 1619 recordation form cover, 1 page assignment, --- page information disclosure statement, --- pages form 1449, and --- specimens of prior art.

[] (37 CFR 1.9(f) & 1.27(c)) Small Entity status applies.
[X] (35 U.S.C. 122(b)(2)(B)(i)) PTO form PTO/SB/35 re: Publication enclosed
[] PCT application being filed concurrently

This application claims priority to US Application Serial Number 60/201,215 filed on 05/02/2000.

The invention was not made by an agency of the United States Government nor under a contract with an agency of the United States Government.

Fee calculation table:

Fee calculation is based on 3 independent and 20 total claims

<input checked="" type="checkbox"/> 37CFR1.16(a) Basic filing fee - Utility	\$710.00
<input type="checkbox"/> 37CFR1.16(b) Independent claims in excess of three - <u> </u> x \$40.00 ea.	
<input type="checkbox"/> 37CFR1.16(c) Claims in excess of twenty - <u> </u> x \$9.00 ea.	
<input checked="" type="checkbox"/> 37CFR1.21(h) Recordation of Assignment	\$ <u>40.00</u>
TOTAL DUE:	\$750.00

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Enclosed is [] credit card authorization PTO2038 or check # 4543, in the amount of \$750.00, payable to Commissioner of Patents and Trademarks. All necessary fees relating to the attached submittal, if any, are intended to be included. However, the Office is hereby authorized to charge any deficiency or credit any overpayment in the fees to deposit account 500323.

Respectfully submitted,



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**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	GILBERT, Roland
Title	METHOD AND APPARATUS FOR USING RF-ACTIVATED MEMS SWITCHING ELEMENT
Atty Docket Number	BAE13-US

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

5/2/01
Date



Signature

Scott J. Asmus, Reg. No. 42,269
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**